

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :  
: Plaintiff,  
: v. : Civil Action No. 13-cv-06326 (TPG)  
: PREVEZON HOLDINGS LTD., et al., :  
: Defendants.  
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**DECLARATION OF LISA H. RUBIN, ESQ.**

I, Lisa H. Rubin, an attorney admitted to practice before this Court, hereby declare:

1. I am Of Counsel in the law firm of Gibson, Dunn & Crutcher LLP, counsel to non-parties William Browder (“Browder”) and Hermitage Capital Management Ltd. (“Hermitage”). I submit this declaration in support of Browder and Hermitage’s motion to disqualify Defendants’ counsel, John W. Moscow, Esq. (“Moscow”) and Baker & Hostetler LLP (“BakerHostetler”), due to their prior representation of Browder and Hermitage in a matter substantially related to this civil forfeiture action, and to disqualify their co-counsel Baker Botts L.L.P. (“Baker Botts”) because BakerHostetler’s conflict must be imputed to them as well.

2. Attached hereto as Exhibit 1 is a true and correct copy of a transcript of the Case Management Conference held on September 18, 2014, in the above-captioned action.

3. Attached hereto as Exhibit 2 is a true and correct copy of the declaration of Neil Micklethwaite, Esq. (“Micklethwaite”) of Brown Rudnick LLP, dated July 27, 2009, as filed with the U.S. District Court for the Southern District of New York on July 28, 2009.

4. Attached hereto as Exhibit 3 is a true and correct copy of a webpage entitled "John W. Moscow," as maintained by BakerHostetler, *available at* <http://www.bakerlaw.com/JohnWMoscow>, and last visited on September 10, 2014.

5. Attached hereto as Exhibit 4 is a true and correct copy of a letter from Moscow to Browder, dated September 22, 2008.

6. Attached hereto as Exhibit 5 is a true and correct copy of an e-mail exchange between Moscow and Ivan Cherkasov of Hermitage, dated between October 10, 2008, and October 15, 2008.

7. Attached hereto as Exhibit 6 is a true and correct copy of the engagement letter between BakerHostetler, on the one hand, and Browder and Hermitage, on the other, dated September 23, 2008, and executed by Browder on October 15, 2008.

8. Attached hereto as Exhibit 7 is a true, correct, and redacted copy of an invoice from BakerHostetler to Hermitage, dated January 22, 2009, for professional services rendered through December 31, 2008.

9. Attached hereto as Exhibit 8 is a true, correct, and redacted copy of an invoice from BakerHostetler to Hermitage, dated November 26, 2008, for professional services rendered through October 31, 2008.

10. Attached hereto as Exhibit 9 is a true, correct, and redacted copy of an invoice from BakerHostetler to Hermitage, dated February 19, 2009, for professional services rendered through January 31, 2009.

11. Attached hereto as Exhibit 10 is a true, correct, and redacted copy of an invoice from BakerHostetler to Hermitage, dated May 28, 2009, for professional services rendered through April 30, 2009.

12. Attached hereto as Exhibit 11 is a true, correct, and redacted copy of an invoice from BakerHostetler to Hermitage, dated June 23, 2009, for professional services rendered through May 31, 2009.

13. Attached hereto as Exhibit 12 is a true and correct copy of an e-mail from Adam Oppenheim, Esq. of BakerHostetler to Grant Felgenhauer, Esq. of Hermitage and Browder, dated May 2, 2009, attaching a draft declaration of Grant Felgenhauer, as prepared by BakerHostetler, and which has been redacted.

14. Attached hereto as Exhibit 13 is [REDACTED]

[REDACTED]

[REDACTED]

15. Attached hereto as Exhibit 14 is a true and correct copy of a letter from Micklethwaite to George A. Stamboulidis, Esq. and Jeffrey H. Paravano, Esq. of BakerHostetler, dated October 28, 2013.

16. Attached hereto as Exhibit 15 is a true and correct copy of a letter from Mark A. Cymrot, Esq. of BakerHostetler to Micklethwaite, dated November 13, 2013.

17. Attached hereto as Exhibit 16 is [REDACTED]

[REDACTED]

[REDACTED]

18. Attached hereto as Exhibit 17 is a true and correct copy of the non-party subpoena Defendants issued to Browder for testimony and documents, dated July 25, 2014, and Exhibit A thereto.

19. Attached hereto as Exhibit 18 is a true and correct copy of an article published by *The Jerusalem Post* on September 1, 2014, and entitled "Architect of the Cold War."

20. Attached hereto as Exhibit 19 is a true and correct copy of an article published by *ITAP-TACC [ITAR-TASS]* on August 11, 2014, and entitled “Уильям Браудер вызван на допрос в нью-йоркский суд” [“William Browder summoned to New York court for questioning”], a certified English translation thereof, and its accompanying Certificate of Accuracy, dated August 13, 2014.

21. Attached hereto as Exhibit 20 is a true and correct copy of an article published by *The Wall Street Journal* on September 17, 2014, and entitled “Former New York Prosecutor Faces Confidentiality Breach Hearing.”

22. Attached hereto as Exhibit 21 is a true and correct copy of a letter from Moscow to Browder, dated November 26, 2008.

23. Attached hereto as Exhibit 22 is a true and correct copy of the Memorandum of Points and Authorities in Support of Motion to Compel Discovery, as filed by Defendants with the U.S. District Court for the District of Columbia on May 22, 2014.

24. Attached hereto as Exhibit 23 is a true and correct copy of an article published by *The Wall Street Journal* on September 19, 2014, and entitled “Judge Permits Hedge-Fund Manager to Seek Lawyer’s Disqualification in Russian Fraud Case.”

25. Attached hereto as Exhibit 24 is a true and correct copy of an article published by *Известия [Izvestia]* on August 12, 2014, and entitled “Уильям Браудер ответит в суде” [“William Browder to Answer in Court”], a certified English translation thereof, and its accompanying Certificate of Accuracy, dated August 13, 2014.

26. Attached hereto as Exhibit 25 is a true and correct copy of the non-party subpoena issued by Defendants to Hermitage Global Partners LP for testimony and documents, dated April

16, 2014, and Exhibit A thereto, as filed with the U.S. District Court for the District of Columbia on May 22, 2014.

27. Attached hereto as Exhibit 26 is a true and correct copy of the non-party subpoena issued by Defendants to Browder in his purported capacity as "Director of Hermitage Global Partners LP" for testimony and documents, dated May 5, 2014, and Exhibit A thereto, as filed with the U.S. District Court for the District of Columbia on May 22, 2014.

28. Attached hereto as Exhibit 27 is a true, correct, and redacted copy of the non-party subpoena issued by Defendants to Victoria Tarantino for documents, dated August 12, 2014, and Exhibit A thereto.

29. Attached hereto as Exhibit 28 is a true, correct, and redacted copy of the non-party subpoena issued by Defendants to Victoria Tarantino Consulting LLC for documents, dated August 12, 2014, and Exhibit A thereto.

30. Attached hereto as Exhibit 29 is a true, correct, and redacted copy of the undated non-party subpoena issued by Defendants to Sundance Aspen LLC for documents and Exhibit A thereto.

31. Attached hereto as Exhibit 30 is a true, correct, and redacted copy of the non-party subpoena issued by Defendants to Michael Cassidy Foley for documents, dated July 31, 2014, and Exhibit A thereto.

32. Attached hereto as Exhibit 31 is a true, correct, and redacted copy of the non-party subpoena issued by Defendants to Acme Property Management, Inc. for documents, dated July 31, 2014, and Exhibit A thereto.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: New York, New York  
September 29, 2014

By: /s/ Lisa H. Rubin  
Lisa H. Rubin